

Mark Petrocchi  
State Bar No. 15851750  
GRIFFITH, JAY & MICHEL, LLP  
2200 Forest Park Blvd.  
Fort Worth, TX 76110  
Direct Dial (817) 926-9060  
Phone (817) 926-2500  
Fax (817) 926-2505  
[mpetrocchi@lawgjm.com](mailto:mpetrocchi@lawgjm.com)  
COUNSEL FOR THE DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

IN RE:	§	CHAPTER 11 PROCEEDING
	§	
NPOT PARTNERS I, LP	§	CASE NO. 09-45412-DML-11
	§	
DEBTOR.	§	HEARING SCHEDULED: NONE

**MOTION FOR EXPEDITED HEARING**

TO THE HONORABLE DENNIS MICHAEL LYNN, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW NPOT Partners I, LP, and hereby requests that the court determine the Motion To Modify Order Granting Motion For Authority To Sell Property Free And Clear Of Liens (the "Motion") on an expedited basis.

1. The Debtor requests that a hearing be scheduled at the earliest available time not later than September 21, 2009, September 22, 2009, or at such time as the court deems appropriate, in order to facilitate the efficient administration of this matter.

2. The Debtor requests an expedited determination of the Motion because the sale is of residential property and the Purchaser has a short window of opportunity in which to satisfy the purchaser's funding source. A hearing was conducted on September 10, 2009. The order was entered authorizing the sale on September 14, 2009. On September 17, 2009 the title companies

indicated reasons enumerated in the motion why the closing would not occur. At least one potential purchaser has move out of the home that purchaser was in, but is not able to occupy the new location.

3. This Motion has been served upon all parties registered to receive electronic mail service by ECF, upon the persons and entities believed to be the twenty largest unsecured creditors, the U.S. Trustee, counsel believed to represent secured creditors and all parties having filed a notice of appearance.

4. The relief requested is necessary because the counsel for the Debtor was only notified of the concerns of the title company on September 17, 2009.

Respectfully submitted,

By: /s/Mark J. Petrocchi  
Mark Petrocchi  
State Bar No. 15851750  
GRIFFITH, JAY & MICHEL, LLP  
2200 Forest Park Blvd.  
Fort Worth, TX 76110  
Direct Dial (817) 926-9060  
Phone (817) 926-2500  
Fax (817) 926-2505  
[mpetrocchi@lawgjm.com](mailto:mpetrocchi@lawgjm.com)  
COUNSEL FOR THE DEBTOR

#### **CERTIFICATE OF CONFERENCE**

The undersigned certifies that he attempted to communicate with counsel for the lender group and the trustee this morning but was unable to confer.

/s/Mark J. Petrocchi  
Mark J. Petrocchi

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he caused a true and correct copy of the foregoing document to be served upon all counsel who receive notice per the CM/ECF filing system of the Clerk of the Court on the 18nd day of September 2009, and on the remaining parties set forth on the attached mailing matrix via first class U.S. mail, postage prepaid, except as otherwise noted.

/s/Mark J. Petrocchi  
Mark J. Petrocchi

Elizabeth Banda on behalf of Creditor Fort Worth ISD, ebanda@pbfc.com

Laurie Spindler Huffman on behalf of Creditor Dallas County, [Laurie.Spindler@publicans.com](mailto:Laurie.Spindler@publicans.com),  
Dallas.bankruptcy@publicans.com

Sharon Carol Jett on behalf of Creditor First Bank, Agent, sjett@higierallen.com

Mark Joseph Petrocchi on behalf of Debtor NPOT Partners I, LP,  
mpetrocchi@lawgjm.com, mkidd@lawgjm.com;mpetrocchi@yahoo.com

UST U.S. Trustee, ustpregion06.da.ecf@usdoj.gov, albert.loftus@usdoj.gov

Timothy J. Vineyard on behalf of Creditor First Bank, Agent, tvineyard@higierallen.com